

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Criminal Action No. 06-00152-01-CR-W-SOW

v.

REGINALD McGLOTHEN,

Defendant.

MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE

PENDING CHARGE: On April 19, 2006, the Grand Jury returned a one count indictment against defendant Reginald L. McGlothen. The indictment charges that on January 26, 2006, defendant McGlothen, having previously been convicted of crimes punishable by imprisonment for terms exceeding one year, knowingly possessed a firearm, to wit: a V. Bernardelli, Model 80, .22 caliber pistol.

The following matters were discussed and action taken during the pretrial conference:

TRIAL COUNSEL:

Government: Stefan Hughes

Case Agent: Special Agent Timothy Cannon of the ATF

Defense: John L. Spencer

OUTSTANDING MOTIONS: The undersigned has prepared a Report and Recommendation with respect to Defendant's Motion to Suppress (doc #22). The District Court's ruling on this motion is pending.

TRIAL WITNESSES:

Government: There are 17 witnesses on the Government's witness list, but the government will probably call 10 witnesses.

Defendant: 3 witnesses, including the defendant

TRIAL EXHIBITS

Government: 23 exhibits

Defendant: 0 exhibits for defendant

DEFENSES: General Denial

POSSIBLE DISPOSITION:

(X) Definitely for trial; () Possibly for trial; () Likely a plea will be worked out

TRIAL TIME: 2 ½ days

Government's case including jury selection: 2 days

Defense case: 3 hours or less

STIPULATIONS: The government has proposed stipulations as to the interstate nexus of the firearm and defendant's prior convictions. Defense counsel is doubtful that the defendant will agree to any stipulations.

UNUSUAL QUESTIONS OF LAW: None

FILING DEADLINES:

Witness and Exhibit List

Government: Friday before the pretrial conference

Defense: Friday before the pretrial conference

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, Voir Dire, Jury Instructions: Noon, Wednesday, October 25, 2006

Please Note: Jury instructions must comply with Local Rule 51.1

Motion in Limine: None planned.

TRIAL SETTING: Criminal jury trial docket commencing November 6, 2006.

Please note: Counsel need to have the case set the first week of the docket.

IT IS SO ORDERED.

_____/s/_____
SARAH W. HAYS
United States Magistrate Judge